IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	8:08CR182
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
JOSE MEJIA,	)	
	)	
Defendant.	)	

This matter is before the court on the motion for an extension of time by defendant Jose Mejia (Mejia) (Filing No. 37). Mejia seeks an additional sixty days in which to file pretrial motions in accordance with the progression order. Mejia has filed an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Mejia's counsel represents that government's counsel has no objection to the motion. The court previously granted co-defendants an extension to July 2, 2008, file pretrial motions (Filing No. 36). The order extended the time as to all defendants. The July 2, 2008, deadline is sufficient for defendant Mejia. Upon consideration, the motion will be granted in part and denied in part.

IT IS ORDERED:

Defendant Mejia's motion for an extension of time (Filing No. 37) is granted in part and denied in part.   Mejia is given until **on or before July 2, 2008,** in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 19, 2008 and July 2, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 19th day of May, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge